

# REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

## FOR PURPOSES OF CONSIDERATION OF HIGHLAND VALLY MINOR SUBDIVISION, TPM 21054

January 12, 2009

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
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Discussion:

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
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NO  
☐

NOT APPLICABLE/EXEMPT  
☐

Discussion:

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated April 3, 2008.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
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NO  
☐

NOT APPLICABLE/EXEMPT  
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Discussion:

The project will obtain its water supply from the Padre Dam Municipal Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?	YES <input type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input checked="" type="checkbox"/>
The <a href="#">Steep Slope</a> section (Section 86.604(e))?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

Discussion:

***Wetland and Wetland Buffers:***

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

***Floodways and Floodplain Fringe:***

The project is not located near any floodway or floodplain fringe area as defined in the resource protection ordinance, nor is it near a watercourse plotted on any official County floodway or floodplain map.

***Steep Slopes:***

The average slope for the property is 30 percent gradient. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are steep slopes on the property however, an open space easement is proposed over the entire steep slope lands. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

***Sensitive Habitats:***

No sensitive habitat lands were identified on the site as determined on a site visit conducted by Christine Stevenson on October 29, 2007. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the Resource Protection Ordinance.

***Significant Prehistoric and Historic Sites:***

The property has been surveyed by a County of San Diego staff archaeologist, Donna Beddow on May 30, 2003, and it has been determined that the property does not contain any archaeological/ historical sites. The results of the survey are provided in an

archaeological survey report entitled, “*Negative Cultural Resources Survey Report for SGS Properties, Inc.; TPM20739; Log No. 03-14-022; APN# 513-073-14*”, prepared by Donna Beddow, dated May 30, 2003. In addition, the project must comply with the San Diego County Grading, Clearing, and Watercourse Ordinance (§87.101-87.804), CEQA §15064.5(d), and §7050.5 of the Health & Safety Code. Section 87.429 of the Grading, Clearance, and Watercourse Ordinance requires the suspension of grading operations when human remains or Native American artifacts are encountered.

**VI. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES  
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NO  
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NOT APPLICABLE  
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Discussion:

The project Storm Water Management Plan received September 14, 2007, and LID check list for Major SWMP dated October 14, 2008 were reviewed for this project and appears to be complete and in compliance with the WPO.

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES  
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NO  
☐

NOT APPLICABLE  
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Discussion:

Even though the proposal could generate potentially significant noise levels (i.e., in excess of the County General Plan or Noise Ordinance), the following noise mitigation measures are proposed to reduce the noise impacts to applicable limits:

Staff has reviewed TPM 21054 grading plans and Acoustical Site Assessment noise report dated September 26, 2008. Staff considers the documentation and analysis acceptable at this time. Project consists of a subdivision of one parcel into four residential parcels. The primary noise source to impact the project subdivision will be from future vehicle traffic traveling on Dehesa Road. Based on the noise report, future traffic noise levels at ground level receptors will be as high as 63.6 dBA CNEL at Parcel 2 and 64.8 dBA CNEL at Parcel 3. These noise impacts exceed the County Noise Element, Policy 4b noise level requirement for proposed noise sensitive land uses (NSLU). Based on these findings, permanent noise barriers will be required to reduce noise levels to less than significant. Mitigation measure will consist of two “L-shaped” five-foot high noise barriers. The first noise barrier will be located on the southeastern pad edge of Parcel 2. The second noise barrier will be located on the western and southwestern edge of Parcel 3. Incorporation of the required noise barriers will reduce noise levels to 60 dBA CNEL and below which will cover a minimum of 10% of the net lot area per parcel pursuant to County Noise Element, 4b. Second floor future traffic

noise impacts were also evaluated which will exceed the 60 dBA CNEL noise level threshold. Although building plans and wall assembly details are not available at this time and are typically evaluated prior to issuance of any building permits, a Noise Protection Easement will be required for Parcels 2 and 3 to ensure compliance with the County interior residential noise requirement of 45 dBA CNEL. Therefore, the incorporation of the recommended five-foot high noise barriers and Noise Protection Easement dedication to Parcels 2 and 3, will ensure that the project subdivision will comply with County noise standards.